IN THE HIGH COURT OF UTTARANCHAL AT NAINITAL

Writ Petition No. 835 (M/B)/ 2002

1. Basant Kumar Singh S/o Khemraj Singh
2. Rizwan Ahamad S/o Mohammad Farooq
3. Swati Srivastava D/o Dr. R.K. Srivastava
4. Pratyush Kumar S/ Sri R.S.P. Joshi
5. Bhawna D/o Dr. B. Prakash
6. Monika Bhatt D/o B.D. Bhatt
7. Kavita Tamta D/o G.P. Tamta
8. Jyoti Tripathi D/o P.C. Tripathi
9. Anita Bharti D/o B.R. Bharti
10. Richa Joshi D/o Prof. J.N. Joshi
11. Virendra Pratap Singh S/o Dr. Hakim Singh
12. Anjali Thapa D/o M.S. Thapa
13. Vikash Saxena S/o O.P. Saxena
14. Kapil Dev Pandey S/o S.K. Pandey
15. Hemant Singh Negi S/o C.S. Negi
16. Bhupendra Singh Bisht S/o P.S. Bisht
17. Rizwan Ahamad S/o Mohdd. Yasin
18. Bipin Kumar Verma S/o G.S. Verma
19. Pratibha Arya D/o R.D. Arya
20. Vipin Bhattg S/o K.R. Bhatt
21. Dharmendra Kumar S/o Ram Singh
22. Bipul Kumar Dubey S/o V.K. Dubey
23. Anup Kumar Mishra S/o S.N. Mishra
24. Yogesh Kumar Rai S/o R.P. Rai
25. Shikha Misra D/o Diwakar Mishra
26. Mohammad Ashim Khan S/o A.V. Khan
    All the students of 4th year B. Pharma Course,
    Department of Pharmacy, Kumaon University, Nainital.
27. Durga Nand Tripathi S/o Tryambak Tripathi
28. Vishal Datta S/o Dr. B. Datta
29. Anupama Tamta D/o G.P. Tamta
30. Kalpana Garkhal D/o M.S. Garkhal
31. Deepak Kumar S/o Rama Kant
32. Amit Gupta S/o R.K. Gupta
33. Mini Kandpal D/o B.D. Kandpal
34. Anju Ganniya D/o L.S. Ganniya
35. Ramesh Nainwal S/o N.C. Nainwal
36. Rahul Pandey S/o R.B. Pandey
37. Vinay Bhushan S/o Gokul Dev
38. Gyanendra Kumar S/o Sri Ram
39. Anand Rau S/o R.S. Kesakar

40. Abhijeet Ojha S/o G.D. Ojha
41. Vijay Mosiwal S/o G.D. Mosiwal
42. Neeraj Sisodiya S/o Dr. V.S. Sisodiya
43. Shailendra Kumar S/o Govind Prasad
44. Vinay Kumar S/o K. Kumar
45. Kamal Joshi S/o P.C. Joshi
46. Raju Chandola S/o P.N. Chandola
47. Prakash Chandra Gupta S/o S.L. Gupta
48. Praveen Kumar Singh S/o S.K. Singh
49. Mahendra Rana S/o N.S. Rana

Sl.no.27 to 49 are III year students of B.Pharma Course, Department of Pharmacy, Kumaon University, Nainital.

50. Abhishek Gangola S/o Dr. D.P. Gangola
51. Balwant Singh Rawat S/o Diwan Singh
52. Neelima Kirti D/o Harish Lal
53. Vijay Kumar Singh S/o J.N. Singh
54. Meenendra Tripathi S/o R.B. Tripathi
55. Vijay Singh Patel S/o M. Prasad
56. Gulam Mohammad Hussain S/o Mohammad Raza
57. Adidev Bharti S/o Budhien
58. Chandan Singh Manral S/o K.S. Manral
59. Amit Kumar Singh S/o P.P. Singh
60. Surendra Patel S/o Shiv Dayal Verma
61. Kapil Kumar Chauhan S/o Chhatarpal Singh
62. Raj Kumar Kesharwani S/o J.P. Kesharwani
63. Kiran Uttam D/o R.S. Uttam
64. Anita Joshi D/o G.D. Joshi
65. Rashmi Arya D/o R.R. Arya
66. Rajeshwar Kamal Kant Arya S/o M.C. Arya
67. Prakash Chandra Bhatt S/o G.B. Bhatt
68. Manoj Kumar Maurya S/o R.P. Maurya
69. Mahendra Singh Bisht S/o D.S. Bisht

S.No.50 to 69 are students of IInd year B.Pharma Course Department of Pharmacy, Kumaun University, Nainital

.....Petitioner

Versus

1. Kumaon University, Nainital through its Vice Chancellor.
2. Head of Department of Pharmacy, Kumaon University, Nainital.
3. State of Uttaranchal through Chief Secretary (Higher Education), Dehradun. ..... Respondents

24.04.2006

Sri V.B.S. Negi, learned counsel for the petitioners,
Sri B.D. Upadhyaya, learned counsel for the respondent no.1.
Learned Standing Counsel for the respondent No.2 & 3.

Hon'ble Rajesh Tandon, J.

Heard Sri V.B.S. Negi, learned counsel for the petitioners, Sri B.D. Upadhyay, learned counsel for the respondent no.1 and Standing Counsel for the respondent No. 2 & 3.

By means of the present writ petition, the petitioners have prayed for a writ of mandamus directing the respondents to take necessary approval from Pharmacy Council of India as well as All India Council of Training & Education prior to conducting the final examination of B.Pharma for the year 2002-2003.

Briefly stated according to the case of the petitioners the matter relates to the necessary approval from Pharmacy Council of India as well as All India Council of Training & Education prior to final examination of B.Pharma for the year 2002-03. On 02.04.2003 a Division Bench of this Court has passed the Interim Order that the University is perusing the approval from the Pharmacy Council of India & All India Council of Technical Education.

Counsel for the respondent No.1 Sri B.D. Upadhyay has pointed out that there is no need to take approval as the University himself is empowered. In view of the judgment of Bharathidarsan University and another Vs. All India Council for Technical Education and others 2001 Vol 8 SCC 676, writ petition lacks merit and is dismissed.

Consequently, writ petition is dismissed.

24.04.2006 **(Rajesh Tandon, J.)**

Jain